

Embden Planning Board – June 8, 2023

Members present were Chairman Leo Mayo, Ann Bridges, Myles Durkin and alternates Randy Caldwell and Aaron Crocker. Also present were CEO Terri Lamontagne, Brian Lippold, Lori Knowlton, Darren Richards, Patrick Swihart, Matt Manahan and Arthur Raymond. The Chairman asked Randy Caldwell to sit in place of Bill Gassert and Aaron Crocker to sit in place of Kelly Bragg.

The minutes of the May, 2023 meeting were accepted as presented.

Correspondence: The Board received a copy of the letter from the Appeals Board denying the request by Beth and Gary Agren to increase the size of their dock one foot towards the water.

The Board made a motion which was seconded to take the agenda out of order and to review the applications for those in attendance. All were in favor.

Next was an application by Darren Richards (24 Parkway Drive; Tax Map 016, Lot 27; TR#230887-1 - \$25.00; site review completed 06-07-23) to construct a 24' x 24' one story building 25' high on concrete slab with porch 8' x 24' on west side of structure. A great of discussion followed concerning the size of the lot for two structures and whether the current septic system was sufficient to handle both structures. It was mentioned that this building could be classified as a bunkhouse. A motion was made by RC and seconded by AB to table any further action on the application until such time as the Board received a permit for a new septic or the current system could be expanded. All were in favor. Mr. Richards will contact the CEO once he has this information to be put on the agenda.

Next was an application by Brian Lippold (67 Kings Drive; Tax Map 28, L0t 012; TR#230888-1 - \$25.00; site review completed 06-01-23; Part of Embden Colony Club) to construct 8' x 10' shed 11' high on posts 31' HWM. The Board proceeded to review Section 15B(1)(b) of the ESZO which reads as follows:

- (b) On a non-conforming lot of record on which only a residential structure exists, and it is not possible to place an accessory structure meeting the required water body, tributary stream or wetland setbacks, the Planning Board may issue a permit to place a single accessory structure, with no utilities, for the storage of yard tools and similar equipment. Such accessory structure shall not exceed eighty (80) square feet in area nor eight (8) feet in height, and shall be located as far from the shoreline or tributary stream as practical and shall meet all other applicable standards, including lot coverage and vegetation clearing limitations. In no case shall the structure be located closer to the shoreline or tributary stream than the principal structure.

A motion was made by AB and seconded by MD to allow Mr. Lippold) to construct 8’ x 10’ shed 11’ high on posts 31’ HWM. All were opposed. The above Section 15B(1)(b) of the ESZO was cited. A letter of denial will be sent to Mr. Lippold.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	TR #
2897	David Low	To replace existing 48” x 48” stairs on posts for water access; received DEP Permit by Rule; site review completed 06/01/23; 3 Trout Drive; Tax Map 27, L0t 18.		\$25.00	#230950-1
2898	Diane Copeland	To replace 13 windows; windows to measure 36” x 48” for egress purposes; site review completed 05/22/23; 11 Robin Drive; Tax Map 17, Lot 015-001		\$25.00	#230995-1

The CEO indicated that she has received a letter from Burns & McDonnell, attorneys for NECEC’s flood hazard and shoreline zoning permits and their expiration. NECEC was represented by Matthew Manahan who give the Board a brief outline of the issues as outlined in their letter that NECEC faced since the Board issued its permits. A Board member asked what percentage of the project had been completed. Mr. Manahan indicated that 30% of the project was completed before they were forced to suspend construction. On May 15, 2023 the Maine DEP issued a letter confirming that NECEC’s license was not longer suspended and that construction may resume. A motion was made by RC and seconded by MD that the Planning Board allow NECEC to continue with construction and that the Planning Board and CEO sign the letter “Seen and agreed Upon”. A copy of the letter is made a part of these minutes for future reference.

There being no further business to come before the Board, it was voted to adjourn. Adjourned at 8:30 p.m.

Respectfully submitted,

Ann C. Bridges, Secretary